

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY lg D.C.  
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THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CR. NO. 04-20469-B

LEVOND MABONE, et al.,

Defendant.


ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY  
AND SETTING

This cause came on for a report date on June 23, 2005. At that time counsel for the defendant requested a continuance of the July 5, 2005 trial date due to the defendants' fugitive status.

The Court granted the request and reset the trial date to August 1, 2005 with a report date of Monday, August 29, 2005, at 9:30 a.m., in Courtroom 1, 11th Floor of the Federal Building, Memphis, TN.

The period from July 15, 2005 through September 16, 2005 is excludable under 18 U.S.C. § 3161(h)(1)(A) and (B) because the defendant is either absent or unavailable and his presence cannot be determined or obtained by due diligence.

IT IS SO ORDERED this 5<sup>th</sup> day of July, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 45 in case 2:04-CR-20469 was distributed by fax, mail, or direct printing on July 6, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT